

**UNITED STATES DISTRICT COURT
NORTHER DISTRICT OF IOWA
EASTERN DIVISION**

Beverly Redenius, Executor of
the Estate of Susan M. Dunakey,

Court File No. _____

Plaintiff,

v.

NOTICE OF REMOVAL OF ACTION

Minnesota Life Insurance Company,

Defendant.

TO: THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT
OF IOWA:

Defendant Minnesota Life Insurance Company (“Minnesota Life”), removes the above-titled action from the District Court for the State of Iowa, County of Black Hawk, First Judicial District, Case No. LACV141178, to the United States District Court for the Northern District of Iowa, Eastern Division, and alleges as follows:

1. This Court has original jurisdiction under 28 U.S.C. § 1332(a) and this action may be removed pursuant to 28 U.S.C. § 1441(b) in that:
 - a. In her Complaint, the Plaintiff, as Executor of the Estate of Susan M. Dunakey, seeks the benefits due under the Accidental Death and Dismemberment (“ADD”) policy insuring the life of Susan M. Dunakey (herein, “ADD Policy”). The amount of benefits payable under the ADD Policy if Susan M. Dunakey died from accidental means is \$306,000.00. In addition, Plaintiff seeks punitive damages and recovery of her attorneys’ fees for Minnesota Life’s alleged “bad faith denial of coverage”;

- b. The amount in controversy therefore exceeds the sum or value of \$75,000, exclusive of interest and costs;
- c. Plaintiff is a permanent citizen of and domiciled in the State of Iowa (See Complaint at ¶ 1);
- d. Minnesota Life is organized under the laws of, a citizen of, and has its principal place of business in, the State of Minnesota (See Complaint at ¶ 5);
- e. Plaintiff and Defendant are citizens of different States.

2. This action was commenced on or after October 12, 2020, when Defendant obtained an electronic copy of the Summons and Complaint through its Registered Agent in the State of Iowa. Thirty days after such receipt has not yet expired.

WHEREFORE, Defendant Minnesota Life Insurance Company removes this action from the State of Iowa, Black Hawk County, District Court for the First Judicial District, to the United States District Court for the Northern District of Iowa, Eastern Division.

Dated: October 27, 2020

/s/Molly R. Hamilton Cawley
Molly R. Hamilton Cawley (#0011735)
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**ATTORNEYS FOR MINNESOTA LIFE
INSURANCE COMPANY**

VERIFICATION

I, Molly R. Hamilton Cawley, declare as follows:

I am an attorney for Defendant and have read the foregoing Notice of Removal of Civil Action to United States District Court and know the contents thereof. I am informed and believe that the matters stated therein are true and, on that ground, allege that the matters stated therein are true.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 27th day of October, 2020.

s/Molly R. Hamilton Cawley
Molly R. Hamilton Cawley